

SEALED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY GRAND JURY 2021
SEPTEMBER 22, 2021 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:21-cr-00164

DARIUS JORDAN HENNING

21 U.S.C. § 841(a)(1)

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

26 U.S.C. § 5861(h)

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

(Possession With Intent to Distribute Methamphetamine)

On or about April 12, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant DARIUS JORDAN HENNING did knowingly and intentionally possess with the intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO
(Felon in Possession of Ammunition)

1. On or about April 12, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant DARIUS JORDAN HENNING did knowingly possess 410 caliber Hornady shotgun ammunition, in and affecting interstate commerce.

2. At the time defendant DARIUS JORDAN HENNING possessed the aforesaid ammunition, he had been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

a. Convicted on or about September 14, 2015, in the United States District Court for the Northern District of West Virginia, of Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(2) in Case No. 1:15-cr-00029; and

b. Convicted on or about February 7, 2011, in the Circuit Court of Harrison County, West Virginia, of First Degree Robbery, in violation of W.Va. Code Section 61-3-11 (Case No. 11-F-63-1).

In violation of Title 18, United States Code, Sections 922(g)(1) and 924 (a)(2).

COUNT THREE

(Possession of a Firearm with an Obliterated Serial Number)

On or about April 12, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant DARIUS JORDAN HENNING did knowingly possess a firearm, to wit: a shotgun, having the serial number obliterated, removed, and altered.

In violation of Title 26, United States Code, Section 5861(h).

FORFEITURE

1. In accordance with 21 U.S.C. § 853, 28 U.S.C. § 2461(c), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of an offense in violation of 21 U.S.C. § 841, as set forth in Count One of this Indictment, defendant DARIUS JORDAN HENNING shall forfeit to the United States of America any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses, which was seized by police on or about April 12, 2021.

2. In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of defendant DARIUS JORDAN HENNING of a violation of 18 U.S.C. § 922(g)(1) as set forth in Count Two or 26 U.S.C. § 5861(h) as set forth in Count Three of this Indictment, defendant shall forfeit to the United States any firearm or ammunition involved in or used in such firearms offense including, but not limited, to the firearm with the serial number obliterated, and ammunition seized on or about April 12, 2021.

LISA G. JOHNSTON
Acting United States Attorney

By:



JULIE M. WHITE
Assistant United States Attorney